

City of Vancouver *Zoning and Development By-law*

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CD-1 (13B)

6475 Elliott Street and 2550 Waverley Avenue **By-law No. 3914**

(Being a By-law to Amend By-law 3575, being the Zoning and Development By-law)

Effective April 25, 1961

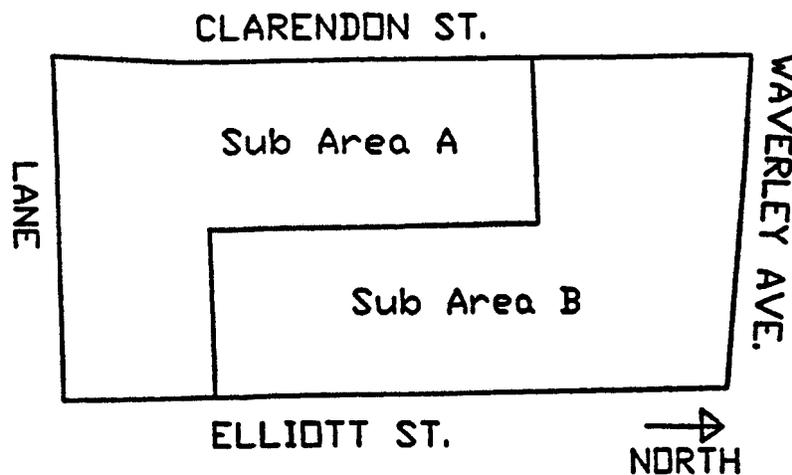
(Amended up to and including By-law No. 8938, dated October 21, 2004)

1 The provisions of this By-law apply to that area of land zoned CD-1 by By-law No. 3914 and shown outlined in black and identified by the legend "File Number RZ.E.15" on a plan forming part of a series of plans all marginally numbered Z-66-A and attached to that By-law (a copy of which individual plan is attached to this By-law, for reference purposes only, as Schedule A), which area shall be more particularly described as CD-1(13-B). [8035; 01 02 20]

2 Uses

The only uses permitted within the area referred to in section 1, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

- (a) Seniors Supportive or Assisted Housing, and [8107; 99 10 19] [8824; 04 04 06]
- (b) Accessory Uses customarily ancillary to the above uses.
[8911; 04 07 22]



3 Floor Space Ratio

3.1 The floor space ratio must not exceed 1.53 in sub-area A or 1.35 in sub-area B. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 11 073 m², being the site size at the time of application, prior to any dedications. [8107; 99 10 19] [8911; 04 07 22] [8938; 04 10 21]

3.2 The following will be included in the computation of floor space ratio:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to By-law No. 3914 or provides an explanatory note.

3.3 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies or sundecks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length;
- (d) areas of undeveloped floors which are located
 - (i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or
 - (ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2m;
- (e) garbage and recycling storage areas at or below base surface; and
- (f) all residential storage space above or below base surface, except that if the residential storage space above base surface exceeds 3.7 m² per dwelling unit, there will be no exclusion for any of the residential storage space above base surface for that unit; [8107; 99 10 19] [8760; 03 12 09]
- (g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000. [8298; 01 02 20]

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area is enclosed; and
- (b) amenity areas accessory to dwelling use, including recreation facilities and meeting rooms, to a maximum of 10 percent of the residential floor area being provided. [8107; 99 10 14]

4 Height

4.1 In sub-area A the maximum height of a building measured above the base surface is 13.2 m, except that the height must not exceed 12.2 m for buildings, or fronting portions of buildings, on those parts of the sub-area which directly abut Clarendon Street. [8911; 04 07 22]

4.2 In sub-area B the maximum height of a building measured above the base surface is 12.2 m.

4.3 The Director of Planning may permit the exclusion of chimneys and other architectural appurtenances from the height calculation. [8107; 99 10 19]

5 Building Grade

The first storey of all buildings will be on average no more than 0.3 m below finished grade, except that this maximum may be increased to 1.0 m at the southwest corner of the site due to the topography at this location.

6 Yards and Setbacks

6.1 A minimum setback of 6.0 m must be provided from Elliott and Clarendon Streets and Waverly Avenue.

- 6.2 A minimum setback may be relaxed to 5.0 m for the provision of bay windows and bay projections, porches, stairs, balconies and similar projections.
- 6.3 The minimum setback from Waverly Avenue may be relaxed to 0.5 m for the provision of a port cohere, fences, access and maneuvering aisles.
- 6.4 The minimum setback from Clarendon may be relaxed to 0.3 m for the provision of a porte cohere, fences, loading spaces, access and manoeuvring aisles, and a garbage/recycling shed. [8911; 04 07 22]

7.1 **Site Coverage**

The maximum site coverage for buildings in sub-area A is 45 percent and for buildings in sub-area B is 51 percent. [8262; 00 09 26]

8 Off-Street Parking, Loading and Bicycle Spaces

- 8.1 Off-street parking, loading and bicycle spaces will be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that parking spaces for market dwellings will be provided at the rate of 0.85 space per dwelling unit plus 1.0 space for every 250 m² of total floor area for market dwellings and parking spaces for non-market seniors rental dwellings will be provided at the rate of 0.50 spaces per dwelling unit.
- 8.2 Parking spaces for seniors supportive or assisted housing must be provided at the rate of 1 space per 4 beds. [8824; 04 04 06]
- 8.3 Passenger spaces must be provided pursuant to Section 7 of the Parking By-law.
- 8.4 Provision of the minimum number of parking spaces may be relaxed pursuant to Section 3.2 of the Parking By-law. [8107; 99 10 19]
- 8.5 The relaxation and exemption provisions of the Parking By-law are available. [8911; 04 07 22]

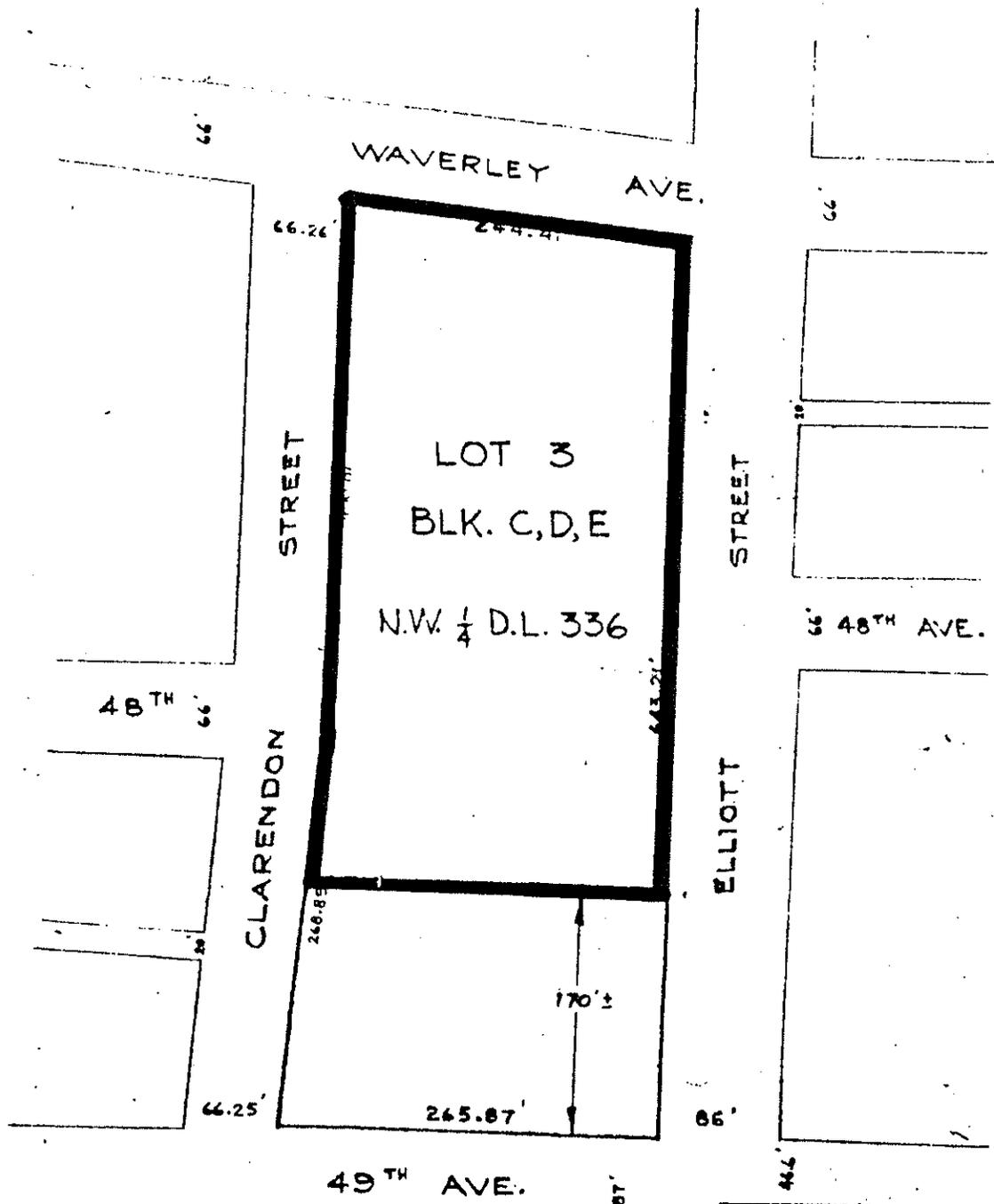
9 Acoustics

A development permit application for dwelling uses will require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units listed below must not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Led) sound level and will be defined simply as the noise level in decibels.

Portions Of Dwelling Units	Noise Level (Decibels)
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

- 10 *[Section 10 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*

THE AREA SHOWN BELOW OUTLINED IN RED IS REZONED FROM (RS-1) ONE FAMILY DWELLING DISTRICT TO (CD-1) COMPREHENSIVE DEVELOPMENT DISTRICT.



File Number: RZ.E.15

Sm. 57
SV. 12
158

3914
25/4/61

Z-66.A

SCALE 1" = 100'

DRAFT

February 14, 1961

File Ref: H.40.8.1

Board of Administration,
City Hall.

Gentlemen:

Re: Senior Citizens' Housing, F.P.5,
49th Avenue and Elliott Street

The City Council on December 20, 1960, adopted the recommendations contained in the Board of Administration's report dated December 16, 1960, Item 3 of which read as follows:

"3. That, when the senior governments agree to undertake this project, the Director of Planning be requested to submit an application for rezoning the site from (RS-1) One Family Dwelling District to (CD-1) Comprehensive Development District, and that such application be referred direct to Public Hearing after report from the Town Planning Commission."

Preliminary sketch plans dated September 1960 showing a proposed development for a two and three storey project for Senior Citizens' Housing consisting of 140 units were submitted by the Central Mortgage & Housing Corporation and considered in conjunction with the above report.

Confirmation has now been received that the senior governments agree to participate in this project and final plans are in course of preparation by the Central Mortgage & Housing Corporation and are expected to be submitted shortly.

.../2

In accordance with the above Council's resolution dated December 20, 1960, the attached application to rezone the site from an (RS-1) One Family Dwelling District to a (CD-1) Comprehensive Development District is submitted. The site of the F.P.5 Senior Citizens' Housing Project is situated at 49th Avenue and Elliott Street and comprises Block 3, except the south 170' plus or minus, N.W. 1/4, D.L. 336.

It is recommended that the above rezoning application be approved and referred direct to Public Hearing after report from the Town Planning Commission, and that the scheme of development be not materially different from that shown on the Central Mortgage & Housing Corporation's sketch plans dated September 1960.

Respectfully submitted,

G. F. Fountain,
Chairman,
Technical Planning Board.

CAG/dh
encl.

A. Proposed Senior Citizens' Housing
Scheme: 49th Avenue & Elliott Street

The Board of Administration under date of December 16th 1960, reported on proposed Senior Citizens' Housing Scheme: 49th Avenue & Elliott Street, from which the following is extracted:

"Proposals have now been received from C.M.H.C., and your Board have considered a report thereon by the Technical Planning Board. It should be noted, however, that this latest proposal is for a 100% Senior Citizens' housing project to accommodate 189 people. Although it has been about 18 months since the Council originally requested a design to be prepared, it should be noted that the current proposal from C.M.H.C. has accepted the principle that Section 36 of the National Housing Act can be used to provide projects designed solely for Senior Citizens. With acceptance of this principle, the City Council can now urge acceleration of the other designs for three additional sites which the City Council has requested to be prepared by C.M.H.C. for Senior Citizens.

The Technical Planning Board's report, which is attached as an appendix, recommends:

- (1) THAT the City make formal submission to the Provincial Government:
 - (a) to participate in this scheme as a Section 36 Low Rental Housing Project, and
 - (b) to forward a request to Central Mortgage and Housing Corporation to proceed with it.
- (2) THAT, in making this application, the Provincial Government be requested to draw Central Mortgage and Housing Corporation's attention to the comments made in Comments 3 and 4 above. (see Report attached as appendix.)
- (3) THAT, when the Senior Governments agree to undertake this project, the Director of Planning be requested to submit an application for rezoning the site from (RS-1) One-Family Dwelling District to (GD-1) Comprehensive Development District, and that such application be referred direct to Public Hearing after report from the Town Planning Commission.
- (4) THAT, when the Senior Governments indicate their agreement to undertake the scheme, the Supervisor of Property and Insurance be instructed to initiate the necessary arrangements to subdivide the block bounded by Waverley Avenue, 49th Avenue, Clarendon Street and Elliott Street in accordance with Plan No. 3406-A approved by Council April 21st, 1960.

Your Board RECOMMENDS APPROVAL of the Technical Planning Board's recommendations."

Moved by Ald. Adams,

THAT the aforementioned report of the Board of Administration be adopted.

- CARRIED.

(Appendix referred to on File
in City Clerk's Department.)

APRIL 17, 1961

7. Area Between 49th Avenue, Elliott Street,
Waverley Avenue and Clarendon Street

Moved by Alderman Rathie,

THAT the application of the Director of Planning to rezone Lot 3, Ex. S.170', Blk.C.D. & E. NW $\frac{1}{4}$ D.L. 336, the area between 49th Avenue, Elliott Street, Waverley Avenue and Clarendon Street,

From: RS-1 One Family Dwelling District
To: CD-1 Comprehensive Development District

be approved in accordance with the recommendation of the Technical Planning Board, it being noted that this development is for Senior Citizens only, in accordance with the scheme shown on the Central Mortgage and Housing Corporation's sketch plans dated September, 1960.

- Carried.

No. 13 - 2100-2200 blk. between Harrison & S.E. Marine Drive.
also - 2550 Waverley Ave.

13

(RZ.M.105)

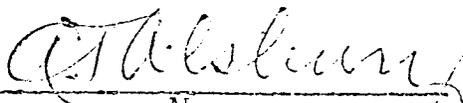
BY-LAW NO. 3914

A By-law to amend By-law No. 3575 being the
Zoning and Development By-law

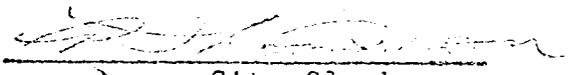
THE COUNCIL OF THE CITY OF VANCOUVER in open meeting
assembled enacts as follows:

1. The Plan attached to and forming an integral part of By-law No. 3575 and designated as the "Zoning District Plan" and marked as Schedule "D" to said By-law is hereby amended according to the plan marginally numbered Z-66-A annexed to this By-law and marked as Schedule "D" hereto, and in accordance with the explanatory legend, notations, references and boundaries designated, described, delimited, and specified in particularity shown upon said plan annexed hereto; and the various boundaries and districts shown upon the plan hereto annexed respectively are an amendment of and in substitution for the respective districts, designated and marked on said Schedule "D" of said By-law No. 3575 insofar as the same are changed, modified or varied thereby, and the said Schedule "D" annexed to said By-law No. 3575 shall be deemed to be and is hereby declared to be amended accordingly and the said Schedule "D" attached to this By-law is hereby declared to be and shall form an integral part of said plan marked as Schedule "D" to said By-law 3575, as if originally incorporated therein, and shall be interpreted accordingly.
2. This By-law shall come into force and take effect on and after the date of the final passing hereof.

DONE AND PASSED in open Council this 25th day of April 1961.

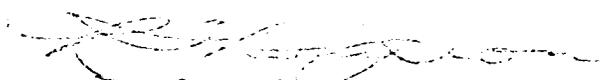


Mayor



City Clerk

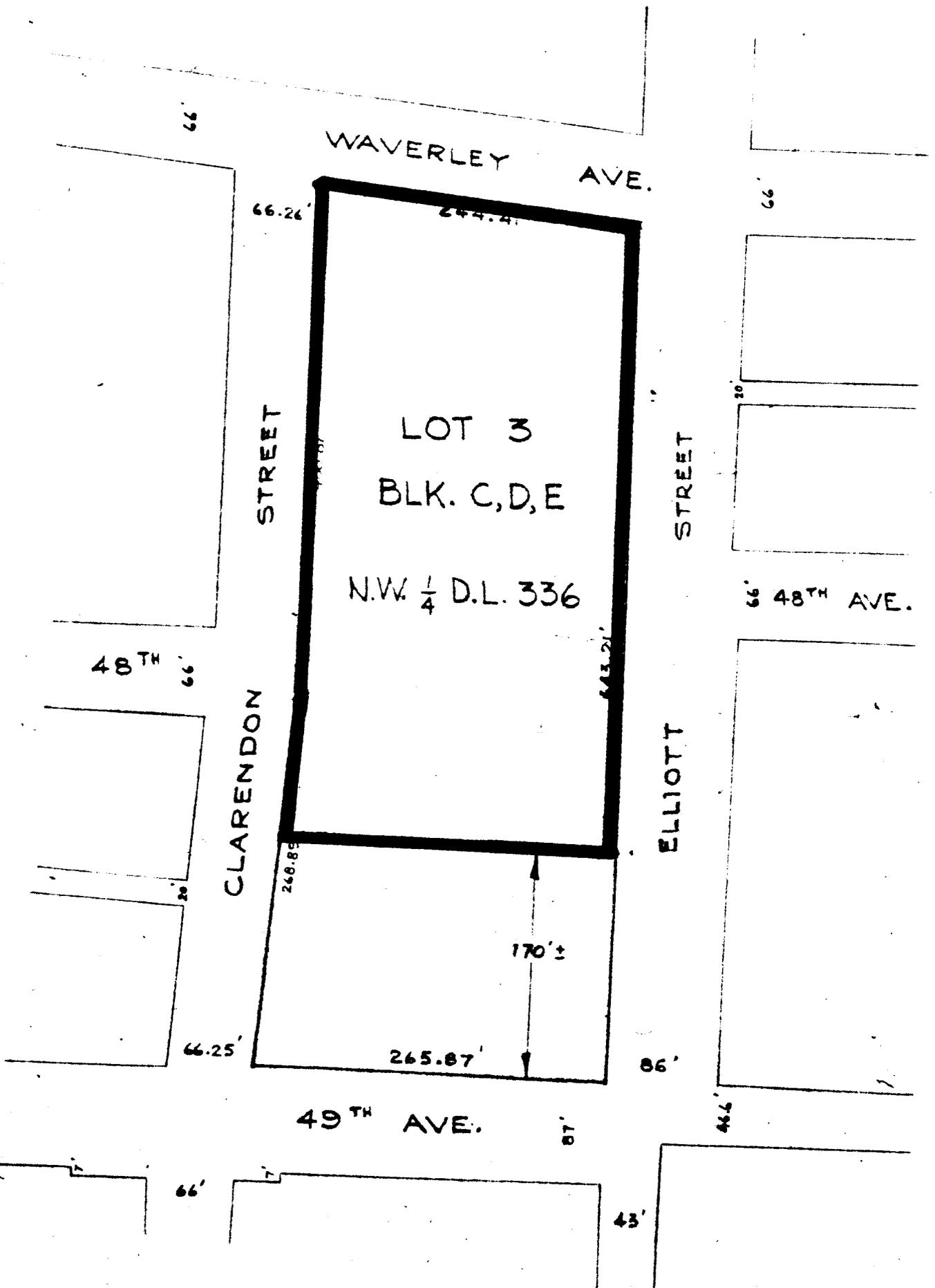
This By-law received -
1st Reading - April 25, 1961
2nd " - April 25, 1961
3rd " - April 25, 1961



City Clerk.

B/L 3914

THE AREA SHOWN BELOW OUTLINED IN RED IS REZONED FROM (RS-1) ONE FAMILY DWELLING DISTRICT TO (CD-1) COMPREHENSIVE DEVELOPMENT DISTRICT.



File Number: RZ.E.15

Z-66.A

(158)

Sm. 57

SV-12

3914
25/4/61

SCALE 1" = 100'

CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

September 25, 1997

A Special Meeting of the Council of the City of Vancouver was held on Thursday, September 25, 1997, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law.

PRESENT:

Mayor Philip Owen
Councillor Don Bellamy
Councillor Jennifer Clarke
Councillor Alan Herbert
Councillor Daniel Lee
Councillor Don Lee
Councillor Sam Sullivan

ABSENT:

Councillor Nancy Chiavario
Councillor Lynne Kennedy (Leave of Absence)
Councillor Gordon Price (Leave of Absence)
Councillor George Puil

**CLERK TO THE
COUNCIL:**

Tarja Tuominen

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

SECONDED by Cllr. Clarke,

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Zoning and Development By-law.

- CARRIED UNANIMOUSLY

1. Text Amendment: CD-1 - 6475 Elliott Street

An application by Lloyd Plishka, Architect, was considered as follows:

Summary: The proposed amendments to CD-1 By-law No. 3914, would permit redevelopment of the site at maximum floor space ratio of 1.25 for 100 non-market seniors rental dwellings and 90 market dwellings. Through joint market/non-market development, the Baptist Housing Society which owns and manages the site would maintain the same amount of affordable seniors rental housing on the site and provide larger, more accessible dwellings.

The Director of Land Use and Development recommended approval, subject to the following conditions as proposed for adoption by resolution of Council:

(a) THAT the proposed form of development be approved by Council in principle, generally as

prepared by Lloyd Plishka, Architect, and stamped "Received City Planning Department, March 21, 1997", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

(b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following, including the advice of the Urban Design Panel as may be necessary:

(i) further design development as follows:

1. to minimize the depth of first storey below grade,

2. to remove the dog-leg and cantilevering of the south building over the parking entrance at the south-east corner of the site as this takes up too much space on too significant a part of the site and because proximity to the shopping centre suggests a more public outdoor amenity space be provided there,

3. to give the south building a more appropriate and prominent principal entrance and a better relationship to the church south of the lane,

4. to eliminate or separate the townhouse dwellings in the corners at the interior of the site to improve their livability (sunlight access and privacy),

cont'd....

Clause No. 1 (cont'd)

5. to reconsider the elevations of the apartment buildings so as to improve their visual relationship to the proposed townhouses and surrounding development, and

6. to reduce the obtrusiveness of the underground parking entrance ramp on Waverley Avenue;

(ii) principles of crime prevention through environmental design (CPTED), having regard to reducing opportunities for:

1. theft in the underground parking areas by securing ramp access and by locating exits so they less visible from the street (Note: Whitepainting the underground areas will also make them feel safer.), and

2. breaking and entering by minimizing concealed areas on the site;

(iii) a landscape plan prepared by the applicant showing:

1. the existing trees which are noted on the Tree Survey and which are to be retained or relocated,

2. the open spaces for market and non-market housing at the interior of the site to be combined or coordinated to provide shared, more useable space, and

3. annotations to describe how the landscaping will mature and be maintained over the long term (with reference to principles for crime prevention through environmental design);

(iv) "aging in place" principles, including:

1. "aging in place" features in the seniors housing, including the provision of adequate kitchen facilities in the fourth-storey amenity room, weather protection for the walkway which joins the two seniors buildings, and handicapped parking spaces in visitor and resident parking areas both at-grade and underground, and

2. consideration of similar "aging in place" features in the market housing, and

3. a relocation plan for the existing tenants; and

cont'd...

Clause No. 1 (cont'd)

(v) fire prevention measures to include relocation of the principal entrance to the apartment building adjacent to lane to ensure that it is no more than 15 m (50 ft.) from Clarendon or Elliott Streets.

(c) THAT, prior to enactment of the CD-1 By-law, the registered owner shall, at no cost to the City:

(i) make arrangements, to the satisfaction of the Director of Legal Services and the Manager of the Housing Centre, to execute the following:

1. a covenant to be registered on property title, restricting subdivision or strata-titling of the seniors rental buildings,

2. a Housing Agreement to ensure that the seniors housing will be eligible for SAFER assistance and will be operated by a non-profit reporting society registered in the Province of B. C., and

3. a legal agreement providing that a meeting shall be convened in each calendar year for the purpose of organizing a resident's council in the seniors rental housing buildings;

(ii) make arrangements to the satisfaction of the Director of Legal Services and General Manager of Engineering Services, at no cost to the City, for:

1. the extension of an 8-inch water main 350 ft. west of Elliott Street along Waverley Avenue to Clarendon Street and a water hydrant on Waverley Avenue (estimated cost of \$54,000),

2. the provision of curb, gutter and pavement on Waverley Avenue (both sides) between Elliott and Clarendon Streets,

3. the provision of street trees adjacent the site on Elliott and Clarendon Streets and Waverley Avenue where space permits, including the north side of Waverley Avenue between Elliott and Clarendon Streets, and

4. the undergrounding of all utilities from the closest existing suitable service point;

(iii) make arrangements to the satisfaction of the Subdivision Approving Officer and the Director of Legal Services for subdivision of the site; and

(iv) execute a legal agreement, to the satisfaction of the Director of Legal Services, to not discriminate against families with children in the sale of market dwelling units.

cont'd...

Clause No. 1 (cont'd)

Also before Council were two memorandums, dated September 25, 1997, from Dave Thomsett, Senior Planner, Land Use Control, providing the following additional staff advice concerning the draft by-law and the approval conditions before Council:

(a) the draft CD-1 by-law in the agenda package does not fully and correctly incorporate the provisions recommended in the staff report dated July 15, 1997, and therefore revisions to the CD-1 by-law are recommended to ensure the appropriate by-law provisions are considered by Council at the Hearing.

Planning staff recommend the following amendments to the Draft CD-1 By-law:

1. THAT Section 2 of the draft by-law be deleted and replaced with the following:

"2. Uses

The only uses permitted within the area referred to in section 1, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

(a) Multiple Dwelling, provided that in sub-area A shown in the diagram below multiple dwellings will be limited to dwellings eligible for government funding and limited to occupancy by at least one person that meets the age criteria of the senior government subsidized housing program for seniors, and

(b) Accessory Uses customarily ancillary to the above use."

(map)

cont'd...

Clause No. 1 (cont'd)

2. THAT Section 3 of the draft by-law be amended in Section 3.1 by replacing the figure "827.5" with the figure "11 073" and that it be amended in Section 3.4(b) by replacing the figure "100" with the figure "1 000".

3. THAT Section 4 of the draft by-law be deleted and replaced with the following:

"4. Height

The maximum height of a building measured above the base surface is 12.8 m, except that height will not exceed 10.5 m for buildings, or fronting portions of buildings, on those parts of the site which directly abut Elliott Street north of East 48th Avenue, Waverley Avenue and Clarendon Street."

4. THAT Section 5 of the draft by-law be deleted and replaced with the following:

"5. Building Grade

The first storey of all buildings will be on average no more than 0.3 m below finished grade, except that this maximum may be increased to 1.0 m at the southwest corner of the site due to the topography at this location."

5. THAT Section 6 of the draft by-law be re-numbered as Section 9.

6. THAT the following Sections 6, 7 and 8 be inserted in their proper numerical sequence:

"6. Yards and Setbacks

6.1A minimum setback of 6.0 m will be provided from Elliott and Clarendon Streets and Waverley Avenue, but this may be relaxed to 5.5 m for the provision of bay windows and bay projections, porches, stairs, balconies and similar projections.

6.2A minimum setback of 4.6 m will be provided from the rear property line abutting the City lane south of the site.

cont'd...

Clause No. 1 (cont'd)

7. Site Coverage

The maximum site coverage for buildings will be 45 percent of the site area.

8. Off-Street Parking, Loading and Bicycle Spaces

Off-street parking, loading and bicycle spaces will be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that parking spaces for market dwellings will be provided at the rate of 0.85 space per dwelling unit plus 1.0 space for every 250 m² of total floor area for market dwellings and parking spaces for non-market seniors rental dwellings will be provided at the rate of 0.50 spaces per dwelling unit."

(b)the applicant requests that the owner not be required to pay for street improvements on both sides of Waverley Avenue (between Elliott and Clarendon Streets) as recommended by Planning staff, but only for the south side adjacent the site. Engineering staff have clarified that improvements are typically not required to both sides of a street unless a new road is being constructed. As in local improvement schemes, the City would likely pay the costs for the opposite side of the street as it is adjacent a City-owned school site, subject to the City Manager's approval of funding. The desirability of traffic calming measures would first be investigated.

Therefore, Planning staff recommend that condition (c)(ii)2 be amended by removing the words "(both sides)" and replacing them with the words "adjacent the site to centreline".

(c)the applicant requests that the owner not be required to execute a covenant to be registered on the property title, to restrict subdivision or strata-titling of the seniors rental building. The project already has a strong covenant registered against its title by the Provincial Government and administered by the BC Housing Management Commission.

cont'd...

Clause No. 1 (cont'd)

However, Legal Services staff have advised that a separate covenant is required as the City is not a party to the existing covenant. Furthermore, the existing covenant, the covenant requested in condition (c)(i)1 and the Housing Agreement

requested in condition (c)(i)2 are separate legal instruments which must be kept separate for

their effectiveness. Planning staff recommend that condition (c)(i)l remain unchanged.

Staff Opening Comments

Phil Mondor, Planner, advised the application is a public/private development, which will result in the retention of 100 seniors affordable units. The units will be increased in size from 348 to 600 square feet. Market housing of townhouses and apartments at the north end of the site will add diversity to the area. Both the affordable and market units will have "aging in place" features. The development is compatible with the surrounding area and provides an opportunity for large trees to develop. The Urban Design Panel and staff were impressed with the look of the development. The proposed parking will be more than adequate.

The neighbours have concerns about the significant increase in floor space ratio; the increase in building height from two to three and four storeys; and traffic and parking impacts. However, staff feel the positives outweigh the negatives, and therefore support the application.

Mr. Mondor referred to the memorandum recommending amendments to the Draft CD-1 By-law circulated to Council this day and advised the Legal Services Department confirms the amendments are consistent with the newspaper ads and notification for the Public Hearing.

Applicant Comments

Howard Johnson, representing the Baptist Housing Society, advised the current personal care home needs to be replaced. The building does not meet fire or livability standards. The units are small, difficult to rent and do not meet the needs of the seniors in the neighbourhood. The project will be financed through four sources: a small capital reserve of the Baptist Housing Society; increased borrowing; rental income, with assistance through the SAFER program; and sale of the market units. The project will provide new respectable housing for seniors, but the 1.25 fsr is essential to make the project financially feasible.

cont'd...

Clause No. 1 (cont'd)

Lloyd Plishka, Architect, advised there are several multiple residential sites in the neighbourhood. Only 20 percent of the project will face residential homes. Arrangement of the buildings allows visual sharing of courtyard space, and plazas provide visual amenities for the neighbourhood. There will be only three-storey buildings facing family homes. The market homes will provide a standard of living consistent with condominiums in the area, and are not targeted to budget buyers. The applicant is willing to alter the main floor levels of the buildings a further one foot out of ground. Mr. Plishka requested that Section 6.1 of the Draft CD-1 Bylaw be amended to allow relaxation of the minimum setback of 6 metres to 5.0 metres, instead of 5.5 metres, for the provision of bay windows, porches, and balconies.

Jack Clerkson, (brief filed) described the public consultation process undertaken for the project. Three neighbourhood information meetings were held. The last one was held on July 7, 1997, with 33 people in attendance. Of 28 responses received, 10 were in support and 17 were opposed. The residents of Clarendon Court were also invited to three information meetings; 46 comment forms in favour of the redevelopment were returned by the attendees.

Doug Purdy, (brief and map filed), described resident, business and church congregation surveys conducted in the area. A majority of those in support of the proposal are long term residents. Those opposed are concerned with increased development in the area, lost views, and

intrusion into the single family neighbourhood with resulting increase in traffic, loss of street parking, and school overcrowding.

Trevor Ward, Traffic consultant, described the results of a traffic study undertaken in the area. Elliott and 49th Avenue are arterial streets; sidewalks are located on all three sides of the site; Elliott and 49th have bus routes; the intersection at Elliott and 49th Avenue has traffic signals; and the intersection at 49th and Clarendon has a pedestrian crossing. Mr. Ward did not believe many vehicles will go into the neighbourhood. Seniors have a very low number of trips. The projected volumes will be well within guidelines. The proposed parking for the non-market units is considerably more than what is required. In addition, there are 40 parking spaces on-street adjacent to the site.

cont'd...

Clause No. 1 (cont'd)

Summary of Correspondence

A review of the correspondence received on this application indicated the following:

- 46 similar form letters received in support of the application;
- letter from Doug Purdy & Associates Ltd. enclosing three petitions and 11 form letters from area merchants in support of the application.

Speakers

Mayor Owen called for speakers for and against the application and 11 speakers were heard.

The following spoke in favour of the application before Council:

·Gillian Watson-Donald, Chair, Housing Subcommittee of the Special Advisory Committee on Seniors, advised the Committee has reviewed the project twice. The Committee is in favour of the project. Very few affordable projects are developed. The project will use SAFER guidelines so that rents can remain low, and incorporates many "aging in place" aspects. The Committee has one concern: the "aging in place" features may disappear as the project goes through the different permit stages. The Committee would like an opportunity to review the project again at the building permit stage.

·Don Balzer and Frank Dyck also supported the application on one or more of the following grounds:

- the project will meet the needs of the elderly;
- the new premises will provide accessible and amenity spaces.

The following speakers opposed the application before Council:

- Steve Simon
- Kenneth Lore
- Nancy Tompkins
- John Tompkins

- Pat Kanopski
- Dave Ohori
- Celia Chung
- Dharminder Hundal

cont'd...

Clause No. 1 (cont'd)

The foregoing speakers opposed the application on one or more of the following grounds:

- four storeys are too high for the neighbourhood;
- the development will add traffic noise;
- the increased density is too much for the area;
- the development will attract many additional people and cars to the area, and will impact the many children in the area;
- development of the market units is not supported;
- the validity of the traffic study is questioned;
- the proposed new development at Corpus Christi has not been considered in the potential impacts to the immediate neighbourhood;
- the neighbourhood needs an area plan so that development will be coordinated;
- the schools, community centre and traffic will not be able to handle the increased development.

The developer of the proposed site at Corpus Cristi advised there is a market for smaller accommodation in the area.

Applicant Closing Comments

Howard Johnson provided a brief history of the Baptist Housing Society and advised its purpose is to provide affordable housing for seniors. The Society has the skills necessary to go into a community and address concerns. The project cannot be reduced in size due to CMHC restrictions.

Staff Closing Comments

Mr. Mondor responded to questions on whether "aging in place" features will carry through the permit process, and advised Planning staff is instituting a practice to ensure requirements flow through the process.

cont'd...

Clause No. 1 (cont'd)

MOVED by Cllr. Bellamy,

THAT the application be approved, subject to the conditions as set out in this minute of the Public Hearing, and subject to the amendments to the CD-1 By-law proposed in the memorandum from Dave Thomsett dated September 25, 1997, and set out in this minute of the Public Hearing.

FURTHER THAT the Draft CD-1 By-law be amended as follows:

6.1A minimum setback of 6.0 m will be provided from Elliott and Clarendon Streets and Waverley Avenue, but this may be relaxed to 5.0 m for the provision of bay windows and bay projections, porches, stairs, balconies and similar projections.

- CARRIED UNANIMOUSLY

(Note: underlining denotes amendment)

2. Text Amendment: CD-1 - 750 Burrard Street

An application by the Director of Land Use and Development was considered as follows:

Summary: The proposed amendment to comprehensive Development District By-law No. 7426 would permit the transfer of density rights, in the amount of 384.6 m², from the former Vancouver Public Library heritage building at 750 Burrard Street, to a development site at 1128 West Hastings Street. The maximum floor space ratio would thereby be reduced to 12.77.

(Note: A similar density transfer from 750 Burrard to 1762 Davie Street was approved May 7, 1997, but the related by-law amendment has not yet been enacted. Should that by-law also be enacted, the maximum floor space ratio for 750 Burrard would be further reduced, from 12.77 to 12.36).

The Director of Land Use and Development, recommended approval of the application.

Staff Opening Comments

Staff offered no additional comments on this application.

cont'd...

Clause No. 2 (cont'd)

Summary of Correspondence

There was no correspondence received on this application.

Speakers

Mayor Owen called for speakers for and against the application, and none were present.

MOVED by Cllr. Bellamy,

THAT the application be approved.

- CARRIED UNANIMOUSLY

RISE FROM COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,

6475 Elliott Street

BY-LAW NO. 8035

A By-law to provide
uses and regulations for an area
of land rezoned to CD-1
by By-law No. 3914,
being a by-law which amended the
Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

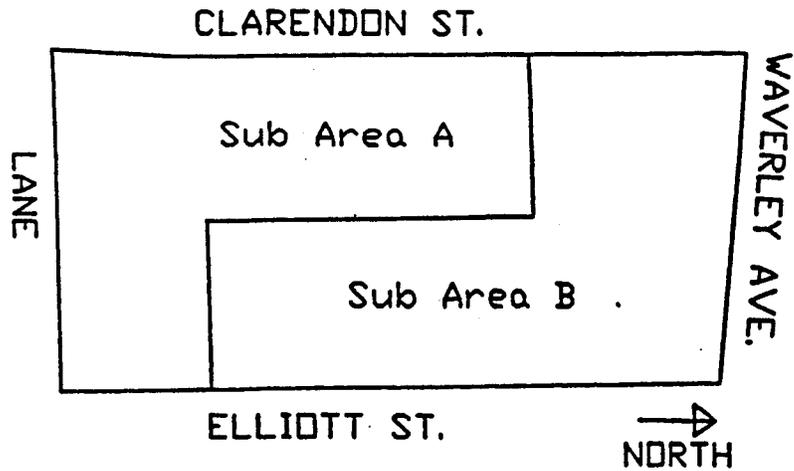
1. The provisions of this By-law apply to that area of land zoned CD-1 by By-law No. 3914 and shown outlined in black and identified by the legend "File Number RZ.E.15" on a plan forming part of a series of plans all marginally numbered Z-66-A and attached to that By-law (a copy of which individual plan is attached to this By-law, for reference purposes only, as Schedule A), which area shall be more particularly described as CD-1(13-B).

2. Uses

The only uses permitted within the area referred to in section 1, subject to such conditions as Council may by resolution prescribe, and the only uses for which development permits will be issued are

(a) Multiple Dwelling, provided that in sub-area A shown in the diagram below multiple dwellings will be limited to dwellings eligible for government funding and limited to occupancy by at least one person that meets the age criteria of the senior government subsidized housing program for seniors, and

(b) Accessory Uses customarily ancillary to the above uses.



3. Floor Space Ratio

3.1 The floor space ratio must not exceed 1.25. For the purpose of computing floor space ratio, the site is all parcels covered by this By-law, and is deemed to be 11 073 m², being the site size at the time of application, prior to any dedications.

3.2 The following will be included in the computation of floor space ratio:

- (a) all floors having a minimum ceiling height of 1.2 m, including earthen floor, both above and below ground level, to be measured to the extreme outer limits of the building; and
- (b) stairways, fire escapes, elevator shafts and other features which the Director of Planning considers similar, to be measured by their gross cross-sectional areas and included in the measurements for each floor at which they are located.

3.3 The following will be excluded in the computation of floor space ratio:

- (a) open residential balconies or sun decks and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing, provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;

- (b) patios and roof gardens, provided that the Director of Planning first approves the design of sunroofs and walls;
- (c) where floors are used for off-street parking and loading, bicycle storage, heating and mechanical equipment, or uses which, in the opinion of the Director of Planning, are similar to the foregoing, those floors or portions thereof so used, which are at or below the base surface, provided that the maximum exclusion for a parking space must not exceed 7.3 m in length; and
- (d) residential storage space provided that where the space is provided at or above base surface, the maximum exclusion will be 3.7 m² per dwelling unit.

3.4 The Director of Planning may permit the following to be excluded in the computation of floor space ratio:

- (a) enclosed residential balconies, provided that the Director of Planning first considers all applicable policies and guidelines adopted by Council and subject to the following:
 - (i) the total area of all open and enclosed balcony or sundeck exclusions does not exceed eight percent of the residential floor area being provided; and
 - (ii) no more than fifty percent of the excluded balcony floor area is enclosed; and
- (b) amenity areas accessory to dwelling use, including recreation facilities and meeting rooms, to a maximum of 10 percent of the residential floor area being provided or 1 000 m², whichever is less.

4. Height

The maximum height of a building measured above the base surface is 12.8 m, except that height will not exceed 10.5 m for buildings, or fronting portions of buildings, on those parts of the site which directly abut Elliott Street north of East 48th Avenue, Waverley Avenue and Clarendon

Street.

5. Building Grade

The first storey of all buildings will be on average no more than 0.3 m below finished grade, except that this maximum may be increased to 1.0 m at the southwest corner of the site due to the topography at this location.

6. Yards and Setbacks

6.1 A minimum setback of 6.0 m will be provided from Elliott and Clarendon Streets and Waverley Avenue, but this may be relaxed to 5.0 m for the provision of bay windows and bay projections, porches, stairs, balconies and similar projections.

6.2 A minimum setback of 4.6 m will be provided from the rear property line abutting the City lane south of the site.

7. Site Coverage

The maximum site coverage for buildings will be 45 percent of the site area.

8. Off-Street Parking, Loading and Bicycle Spaces

Off-street parking, loading and bicycle spaces will be provided, developed and maintained in accordance with the applicable provisions of the Parking By-law, except that parking spaces for market dwellings will be provided at the rate of 0.85 space per dwelling unit plus 1.0 space for every 250 m² of total floor area for market dwellings and parking spaces for non-market seniors rental dwellings will be provided at the rate of 0.50 spaces per dwelling unit.

9. Acoustics

A development permit application for dwelling uses will require evidence in the form of a report and recommendations prepared by persons trained in acoustics and current techniques of noise measurement demonstrating that the noise levels in those portions of the dwelling units

listed below must not exceed the noise levels expressed in decibels set opposite such portions of the dwelling units. For the purposes of this section the noise level is the A-weighted 24-hour equivalent (Led) sound level and will be defined simply as the noise level in decibels.

<u>Portion of Dwelling Unit</u>	<u>Noise Level (Decibels)</u>
bedrooms	35
living, dining, recreation rooms	40
kitchen, bathrooms, hallways	45

10. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 15th day of June
1999.

(Signed) Philip W. Owen
Mayor

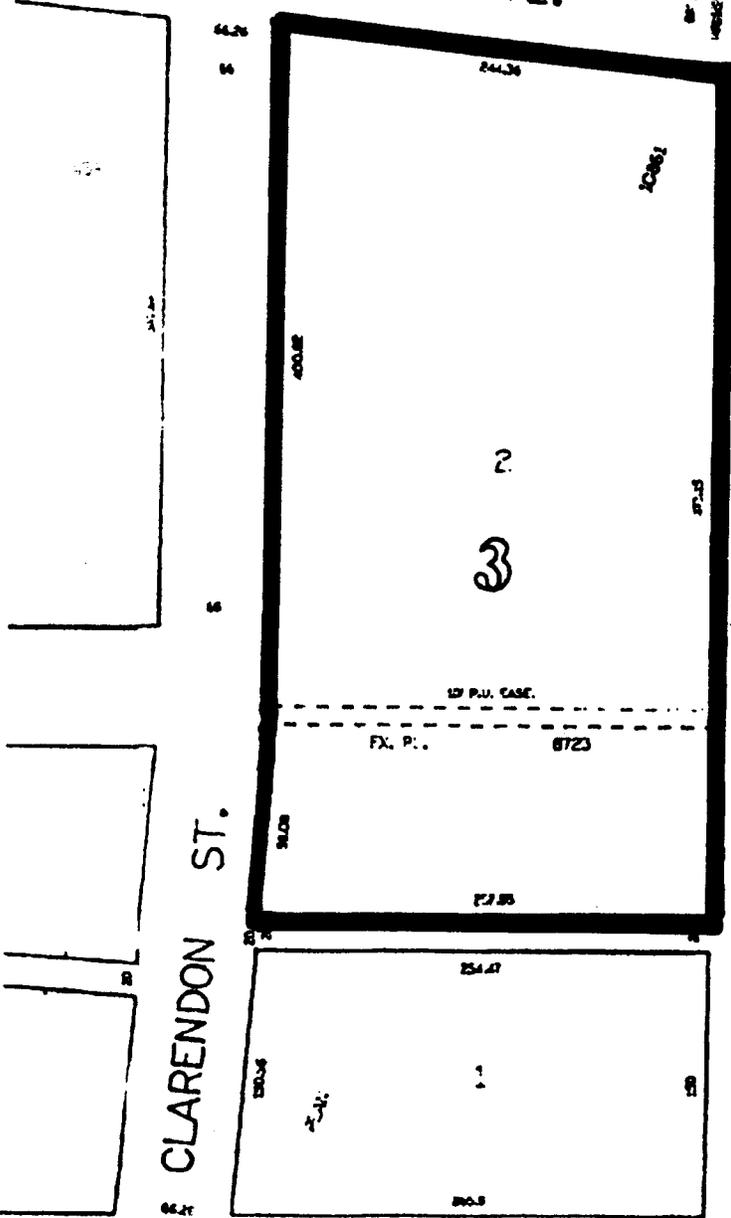
(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 15th day of June 1999, and numbered 8035.

CITY CLERK"

SCHEDULE A

WAVERLEY AVE.



ELLIOTT ST.

CLARENDON ST.

FORTY-NINTH AVE.

1:2000



File Number RZ.E.15

Z-66-A



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

SEPTEMBER 21, 1999

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, September 21, 1999, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law.

PRESENT: Mayor Philip Owen

Councillor Don Bellamy
Councillor Nancy A. Chiavario
*Councillor Jennifer Clarke (Clause 5)
Councillor Alan Herbert
*Councillor Lynne Kennedy (Clauses 1- 4)
Councillor Daniel Lee
Councillor Don Lee
Councillor Gordon Price
Councillor Sam Sullivan

ABSENT: Councillor George Puil (Leave of Absence)

CITY MANAGER'S

OFFICE: Brent MacGregor, Deputy City Manager

CLERK TO THE

COUNCIL: Nancy Largent, Administrative Assistant

*Denotes absence during part of the meeting

COMMITTEE OF THE WHOLE

MOVED by Cllr. Bellamy,
SECONDED by Cllr. Herbert,

THAT this Council resolve itself into Committee of the Whole, Mayor Owen in the Chair, to consider proposed amendments to the Zoning and Development By-law.

exceeding five years.

- CARRIED

(Councillors Chiavario and Daniel Lee opposed)

2. Text Amendment: 6475 Elliott Street

An application by Neale Staniszki's Doll Adams Architects was considered, as follows:

Summary: The proposed amendment to the existing CD-1 By-law would permit the development of 104 units of seniors congregate housing.

The Director of Current Planning recommended approval, subject to the conditions set out in the agenda of the Public Hearing.

Council also had before it a memorandum dated September 21, 1999 (on file) from the Acting Senior Rezoning Planner, submitting for consideration a change to condition b (xi), which is reflected in the Council decision on the item.

Staff Comments

Marco D'Agostini, Planner, reviewed the application and potential impacts on the surrounding neighbourhood. An agreement with respect to safety will be settled at the development permit stage. There is no neighbourhood opposition. Staff support the application subject to the aforementioned conditions. Mr. D'Agostini also answered questions about congregate care standards.

Applicant Comments

Howard Johnson, Baptist Housing Ministries, reviewed the services to be provided, noting this development will provide congregate housing. It is not a care home, *per se*. Three letters of support were filed.

Garth Ramsay, Architect, reviewed the need for a 1.1 m setback relaxation to provide loading spaces, manoeuvring aisle and a garbage/recycling shed on Clarendon Street. Staff advised they had no objection to the relaxation requested by Mr. Ramsay.

Summary of Correspondence

No correspondence was received on this application other than three letters of support filed by the applicant

Speakers

The Mayor called for speakers on the application, but none came forward.

Council Decision

MOVED by Cllr. Chiavario,

That the application by Neale Staniszkis Doll Adams Architects for a text amendment to the existing CD-1 By-law for 6475 Elliott Street to permit the development of 104 units of seniors' congregate housing be approved, subject to the following conditions:

(a) THAT the proposed form of development be approved by Council in principle, generally as prepared by Neale Staniszkis Doll Adams Architects, and stamped "Received City Planning Department, February 8, 1999," provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.

(b) THAT prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:

(i) Design development to reduce corridor length;

Note to Applicant: Maximum length of 23 m (75 ft.) is standard for market residential.

(ii) Design development to better integrate the underground parking ramp to reduce area of paving in the Waverley Avenue front yard and to improve the building facade on Elliott Street;

Note to Applicant: This can be achieved by relocating the ramp to the underground parking from the corner of Elliott Street and Waverley Avenue.

(iii) design development to encourage sharing of services such as loading and garbage between the market and non-market buildings;

(iv) design development to improve the relationship of the ground level units to the street;

Note to Applicant: Maintain ground level units 900 mm above grade with open landscaping at patios facing the street.

(v) design development to ensure integration of the landscaping between the two parcels on this site;

Note to Applicant: No permanent fence or other physical barrier that separates the market and non-market components of development will be considered.

(vi) design development to take into consideration the principles of Crime Prevention Through Environmental Design (CPTED) having particular regard for opportunities for:

theft in the underground parking;
break and enter. Ground floor units are susceptible to break and enter. Opportunities can be reduced by deleting areas of concealment outside of windows and patios. Hedging should be low and allow casual surveillance between the units and the street. The north exit door by the Manager's office should be reoriented to encourage casual surveillance by the Manager's suite

(windows should be clarified) while orienting the door away from the street to reduce visibility from the street; and mischief such as graffiti.

(vii) design development in consultation with the General Manager of Engineering Services to revise the Clarendon Street loading bay;

Note to Applicant: An on-street loading zone is supported to serve the side.

(viii) design development in consultation with the General Manager of Engineering Services to provide for a clearance of 3.5 m for Handi Dart use;

(ix) design development in consultation with the General Manager of Engineering Services to provide one-way circulation in a counter-clockwise direction with appropriate directional signage to reinforce the one way flow;

(x) design development in consultation with the General Manager of Engineering Services to relocate the bus bay from the underground parking area to the porte cochere;

Note to Applicant: There is inadequate manoeuvring space for a bus in the underground parking.

(xi) design development to include the following safety enhancements:

provide for horizontal exiting by having a minimum two fire compartments within a floor area;

the fire alarm system should incorporate other signals to supplement the audibility within suites; in accordance with the Vancouver Building By-law as described in sentence 3.2.4.20.(7) [proposed 1999 version]; and

provide an emergency call system that can include a variety of call systems, personal pendants and/or special telephones;

provide a fire safety plan that includes staff assistance to residents in case of emergency;

provide emergency power of a minimum of one hour duration;

provide a fire fighter's elevator in buildings that are above three storeys to assist with evacuation; and

have a policy in place where as residents become less mobile, they are relocated to grade-level units.

Note to Applicant: The building's life safety systems should take into account the eventual change in the mental and/or physical state of the residents, and provide a safe environment for them.

(c) THAT prior to enactment of the CD-1 By-law, the registered owner shall:

(i) clarify to the satisfaction of the General Manager of Engineering Services all existing and proposed features (paving, trees, landscaping, etc.) within the existing and proposed sewer right-of-way;

Note to Applicant: Although the right-of-way is not on the "proposed" subject site, the right-of-way uses must be clearly established.

(ii) clarify to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services all charges shown on title (a charge summary should be provided);

(iii) make arrangements for all electrical and telephone services to be under grounded within and adjacent the site from the closest existing suitable service point;

(iv) register a Section 219 Covenant, to the satisfaction of the Manager, Housing Centre and Director of Legal Services, providing that the owner of the rental congregate housing development shall not strata-title any of the units, with the option that in the case of project default as a rental, the applicant/foreclosing agent be given liberty within allowable by-laws to pursue other uses for this building; and

(v) pay to the City a Community Amenity Contribution of \$18,243.85.

AND FURTHER THAT the minimum setback from Clarendon Street may be relaxed to 1.1 metre for the provision of loading spaces, manoeuvring aisle and a garbage/recycling shed.

- CARRIED UNANIMOUSLY

* *italics denote amendment*

3. Text Amendment: Schedule C - 2900 Block East Broadway

An application by Tom Bunting, Bunting Coady Architects, was considered as follows:

Summary: The proposed amendment would permit the relaxation of the required landscape setback on the south side of Broadway between Renfrew and Nootka Streets.

The Director of Current Planning submitted this application for consideration.

Staff Comments

Rob Whitlock, Acting Senior Rezoning Planner, reviewed the history and context of the existing requirement for a 40-foot landscaping setback, which is a requirement in both the Hastings Sunrise Plan and the recently approved policies for the Grandview/Boundary Industrial Area. Staff are not recommending approval of the requested 25-foot setback, but acknowledge the relaxation may be needed by the developer for marketing reasons.

Applicant Comments

Tom Bunting, Architect, reviewed the applicant's rationale for a 25-foot setback, with reference to building footprints, green landscaping, and attractive buildings. The existing setback requirement was intended to provide green space to buffer industrial areas along the route. With the change to I-3 zoning and high technology industrial use, there is less need to buffer. Also, the setback is not consistent, since it applies only to industrial areas; many sites do not have 40-foot setbacks.



MOTION

6475 Elliott Street

MOVED BY:

SECONDED BY:

THAT the form of development for the CD-1 zoned site known as 6475 Elliott Street be approved generally as illustrated in Development Application No. DE404403 prepared by Neale Staniszki Doll Adams Architects, and stamped "Received, City of Vancouver, Community Services, October 8, 1999", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

* * * * *



Comments or questions? You can send us [email](#).

[CITY HOMEPAGE](#)

[GET IN TOUCH](#)

[COMMUNITIES](#)

[SEARCH](#)

(c) 1998 City of Vancouver

6475 Elliott Street

BY-LAW NO. 8107

A By-law to amend By-law No.8035,
being a By-law which provided uses and regulations
for an area of land rezoned by By-law No. 3914,
being a by-law which amended the
Zoning and Development By-law

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

1. Section 2 of By-law No. 8035 is amended:
 - (a) by deleting the word "and" at the end of sub-clause (a),
 - (b) by relettering sub-clause (b) as (c), and
 - (c) by inserting the following new subclause:

"(b) Special Needs Residential Facility -Congregate Housing but only in sub-area B on the diagram below, and".

2. By-law No. 8035 is further amended by inserting the following new section 2A:

"2A. Conditions of Use

2A.1 Congregate Housing shall be based on the following minimum standards:

 - (a) the minimum floor area of single occupancy units shall be 25.5 m² and the minimum floor area of double occupancy units shall be 42.0 m²;
 - (b) communal dining floor area shall be calculated as the number of residents x 4/3 expressed as m²;
 - (c) multi-purpose room floor area shall be calculated as the number of residents x 4/3 expressed as m²; and

(d) outdoor amenity space shall be calculated as the number of residents expressed as m²;

and shall include

(e) provision of a 24-hour on-site emergency response service."

3. Section 3.1 is amended by deleting the figure "1.25" and substituting the following:

"1.25 in sub-area A or 1.35 in sub-area B".

4. Section 3.3 is amended

(a) by deleting the word "and" at the end of clause (c),

(b) by relettering clause (d) as clause (f), and

(c) by inserting the following new sub-clauses (d) and (e):

"(d) areas of undeveloped floors which are located

(i) above the highest storey or half-storey and to which there is no permanent means of access other than a hatch; or

(ii) adjacent to a storey or half-storey with a ceiling height of less than 1.2 m;

(e) garbage and recycling storage areas at or below base surface; and".

5. Section 3.4 is amended in clause (b) by deleting the words "or 1 000 m², whichever is less".

6. Section 4 is deleted and the following substituted:

"4. Height

4.1 In sub-area A the maximum height of a building measured above the base surface is 12.8 m, except that the height must not exceed 10.5 m for buildings, or fronting portions of buildings, on those parts of the sub-area which directly abut Clarendon Street.

4.2 In sub-area B the maximum height of a building measured above the base surface is 12.2 m.

4.3 The Director of Planning may permit the exclusion of chimneys and other architectural appurtenances from the height calculation."

7. Section 6 is deleted and the following substituted:

"6. Yards and Setbacks

6.1 A minimum setback of 6.0 m must be provided from Elliott and Clarendon Streets and Waverly Avenue.

6.2 The minimum setback may be relaxed to 5.0 m for the provision of bay windows and bay projections, porches, stairs, balconies and similar projections.

6.3 The minimum setback from Waverly Avenue may be relaxed to 0.5 m for the provision of a port cochere, fences, access and maneuvering aisles.

6.4 The minimum setback from Clarendon Street may be relaxed to 1.1 m for the provision of loading spaces, manoeuvring aisle and a garbage/recycling shed."

8. Section 8 is amended:

(a) by numbering the existing text as "8.1", and

(b) by adding the following:

"8.2 Parking spaces for congregate housing must be provided at the rate of 1 space per 4 beds.

8.3 Passenger spaces must be provided pursuant to Section 7 of the Parking By-law.

8.4 Provision of the minimum number of parking spaces may be relaxed pursuant to Section 3.2 of the Parking By-law."

9. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 19th day of October, 1999.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

“I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 19th day of October 1999, and numbered 8107.

CITY CLERK”



1



CITY OF VANCOUVER

REGULAR COUNCIL MEETING MINUTES

OCTOBER 19, 1999

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, October 19, 1999 at 2:00 p.m., in the Council Chamber, Third Floor, City Hall.

PRESENT: Mayor Philip Owen

- *Councillor Don Bellamy
- *Councillor Nancy A. Chiavario
- *Councillor Jennifer Clarke
- Councillor Alan Herbert
- Councillor Lynne Kennedy
- Councillor Don Lee
- Councillor Gordon Price
- Councillor George Puil
- Councillor Sam Sullivan

ABSENT: Councillor Daniel Lee (Sick Leave)

**CITY MANAGER'S
OFFICE:** Judy Rogers, City Manager

**CLERK TO THE
COUNCIL:**

Ulli S. Watkiss

* Denotes presence during part of the meeting.

PRAYER

The proceeding in the Council Chamber were opened with a prayer read by the City Clerk.

There being no amendments, it was

MOVED by Cllr. Herbert,
SECONDED by Cllr. Sullivan,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

15. A By-law to amend By-law No. 8035, being a By-law which provided uses and regulations for an area of land rezoned by By-law No. 3914, being a by-law which amended the Zoning and Development By-law (6475 Elliott Street)

By-law No. 8107

MOVED by Cllr. Herbert,
SECONDED by Cllr. Sullivan,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Herbert,
SECONDED by Cllr. Sullivan,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

MOTIONS

A. Acquisition by Expropriation of Property Required for a Left Turn Bay on Knight Street at 41st Avenue File: 5761-1

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Clarke,

WHEREAS:

A. The City of Vancouver requires:

A portion of:

Parcel Identifier: 014-799-138
Lot 17, Except the West 2.5 feet and the East 7 feet, Now Highways
Block 4, District Lot 711, Plan 1383

D. Form of Development - 6475 Elliott Street File: 2605

MOVED by Cllr. Herbert,
SECONDED by Cllr. Sullivan,

THAT the form of development for the CD-1 zoned site known as 6475 Elliott Street be approved generally as illustrated in Development Application No. DE404403 prepared by Neale Staniszki Doll Adams Architects, and stamped "Received, City of Vancouver, Community Services, October 8, 1999", provided that the Director of Planning may approve design changes which would not adversely affect either the development character and livability of this site or adjacent properties.

- CARRIED UNANIMOUSLY

15. A By-law to amend By-law No. 8035, being a By-law which provided uses and regulations for an area of land rezoned by By-law No. 3914, being a by-law which amended the Zoning and Development By-law (6475 Elliott Street)

By-law No. 8107

MOVED by Cllr. Herbert,
SECONDED by Cllr. Sullivan,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Herbert,
SECONDED by Cllr. Sullivan,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Price,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Price,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillor Clarke excused from voting on By-law 1)

2. A By-law to amend By-law No. 8035, being a By-law which amended the Zoning and Development By-law by providing uses and regulations for an area zoned CD-1 (6475 Elliott Street and 2526 Waverley Avenue) By-law No. 8262

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Price,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Price,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY



2



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

JANUARY 25, 2001

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 25, 2001, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Heritage, Zoning and Development By-laws, Official Development Plans and the Sign By-law.

PRESENT: Mayor Philip Owen

Councillor Fred Bass
Councillor Don Lee
Councillor McCormick
Councillor Gordon Price
Councillor George Puil
Councillor Sam Sullivan

ABSENT: Councillor Jennifer Clarke (Civic Business)

Councillor Lynne Kennedy (Civic Business)
Councillor Daniel Lee (Sick Leave)
Councillor Tim Louis (Leave of Absence)

CITY CLERK'S Tarja Tuominen, Meeting Coordinator
OFFICE:

COMMITTEE OF THE WHOLE

MOVED by Cllr. Don Lee,
SECONDED by Cllr. Sullivan,

"B" category, as protected heritage properties.

C. THAT Council commend the building owners for designating their properties on a voluntary basis and for participating in the Vancouver Heritage Foundation's True Colours project.

D. THAT Benjamin Moore Paints be commended for their contribution and participation in the True Colours project.

- CARRIED UNANIMOUSLY

2. Text Amendments: Miscellaneous

An application by the Director of Current Planning was considered as follows:

Summary: The text amendments would correct or clarify various sections of the Zoning & Development By-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law.

The Director of Current Planning recommended approval.

Staff Comments

Lynda Challis, Planner, briefly explained the application. Every few years, Planning staff propose a package of miscellaneous text amendments. The amendments are considered housekeeping in nature, with no policy implications.

Summary of Correspondence

There was no correspondence received on this application since the date it was referred to Public Hearing.

Clause No. 2 (cont'd)

Speakers

Mayor Owen called for speakers for and against the application and none were present.

MOVED by Cllr. Don Lee,

THAT the application by the Director of Current Planning for miscellaneous text amendments to correct or clarify various sections of the Zoning & Development by-law, CD-1 By-laws, Official Development Plan By-laws, and the Sign By-law be approved.

- CARRIED UNANIMOUSLY

3. Text Amendments: 1299 West Hastings Street (501 Bute Street)

An application by the Director of Current Planning was considered as follows:

Summary: To amend the CD-1 By-law and Coal Harbour Official Development Plan to reduce the required percentage of non-market housing and increase the allowable residential floor area.

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. McCormick,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke, Kennedy, Daniel Lee and Louis excused from voting)

3. A By-law to amendment various Comprehensive Development District By-laws (Miscellaneous Text Amendments) By-law No. 8298

MOVED by Cllr. Don Lee,
SECONDED by Cllr. McCormick,

THAT the By-law be introduced and read a first time.

- CARRIED UNANIMOUSLY

The By-law was read a first time and the Presiding Officer declared the by-law open for discussion and amendment.

There being no amendments, it was

MOVED by Cllr. Don Lee,
SECONDED by Cllr. McCormick,

THAT the By-law be given second and third readings and the Mayor and City Clerk be authorized to sign and seal the By-law.

- CARRIED UNANIMOUSLY

(Councillors Clarke, Kennedy, Daniel Lee and Louis excused from voting)

~~4. A By-law to amend Schedule A to By-law No. 5261, being the~~

~~Central Waterfront Official Development Plan, and Schedule A to By-law No. 6650, being the False Creek North Official Development Plan (Miscellaneous Text Amendments) By-law No. 8299~~

~~MOVED by Cllr. Price,
SECONDED by Cllr. Sullivan,~~

Miscellaneous Text (CD-1)

BY-LAW NO. 8298

A By-law to amend By-laws No.
3869, 4037, 5091, 5373, 5420, 5491, 5760, 5927, 6063
6221, 6689, 6744, 6747, 7066, 7114, 7235, 7248, 7592,
7648, 7932, 8016, 8035, 8044, 8055, 8073, 8122 and 8193,
being by-laws which amended the Zoning and Development By-law
by rezoning areas to CD-1

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

1. By-law No. 3869 is amended by relettering clause 3.3(h) as clause 3.3(f).
2. By-law No. 4037 is amended in section 4.5
 - (a) in clause (a) by inserting the words "covered porches" after the word "gutters",
 - (b) in clause (b) by inserting the words "or semi-enclosed" after the word "enclosed",
 - (c) in sub-clause (b)(i) by deleting the first use of the word "and" and inserting a comma after the word "open" and inserting the words "or semi-enclosed" after the word "enclosed", and
 - (d) by adding the following new clause;

"(c) areas of undeveloped floors which are located adjacent to a storey or half storey with a ceiling height of greater than 1.2 m provided that the Director of Planning first approves the roof design."
3. By-law No. 5091 is amended by deleting the diagram forming part of section 4.1 and substituting the new diagram which, as Schedule A, is attached to and forms part of this by-law.
4. By-law No. 5373 is amended in Section 3 by deleting the period after the final word "foregoing" and substituting a semi-colon and by adding the following clause:

- " - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."
5. By-law No. 5927 is amended in Section 6 by deleting the second use of the word "parking" in the phrase "Off-street parking parking and loading".
6. By-laws No. 5420 , 5760, and 6689 are each amended in Section 3 by adding the following section:
- "3.1 Where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, shall be excluded from the computation of floor space ratio, except that this clause shall not apply to walls in existence prior to March 14, 2000."
7. By-law No. 5491 is amended in Section 3.3 by deleting the period from the end of clause (c) and substituting a semi-colon and by adding the following clause:
- "(d) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."
8. By-laws No. 6063 and 6221 are each amended by relocating section "4.1" from Section 3 and adding it immediately following the existing text in Section 4.
9. By-law No. 6744 is amended in Section 6.5 by deleting the period from the end of clause (j) and substituting a semi-colon and by adding the following clause:
- "(k) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."
10. By-law No. 6747 is amended in Section 7.3 by deleting the period from the end of clause (h) and substituting a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

11. By-laws No. 7066 and 8035 are each amended in Section 3.3 by deleting the period from the end of clause (f) and substituting a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

12. By-law No. 7114 is amended in Section 3.3 by deleting the word "and" from the end of clause (c) and by deleting the period from the end of clause (d) substituting a semi-colon followed by the word "and" and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

13. By-law No. 7235 is amended in Section 4.3 by deleting the word "and" from the end of clause (d) and by deleting the period from the end of clause (e), substituting a semi-colon followed by the word "and" and by adding the following clause:

"(f) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

14. By-law No. 7248 is amended in Section 6.6 by deleting the existing clause (a) and substituting the following:

"(a) retail use can only be located on that portion of a storey having an elevation within 1.5 m of fronting street grade;"

15. By-law No. 7592 is amended in Table 1 by inserting the words "Bingo Hall," immediately after the words "Casino-Class 1,".

16. By-law No. 7592 is further amended in Section 6 by adding the following new clause:

"(b) No additional off-street parking will be required for individual changes of use unless and until the total number of off-street parking spaces that would otherwise be required for all uses, calculated pursuant to the Parking By-law, exceeds 807 spaces. The Director of Planning, in consultation with the City Engineer, may relax this requirement, subject to consideration of all applicable policies adopted by Council."

17. By-law No. 7648 is amended in Section 3.4 by deleting the period from the end of clause (d) and substituting a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

18. By-law No. 7648 is further amended in Section 3.7 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f) and substituting a semi-colon and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

19. By-law No. 7932 is amended in Section 4 by deleting the words "base surface" and substituting the words "finished grade around the building".

20. By-law No. 8016 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) "Dwelling Units, to a maximum of 56 units, and".

21. By-law No. 8044 is amended in Section 2 by deleting clause (c) and substituting the following:

"(c) Dwelling Units, to a maximum of 50 units, of which a minimum of 9 shall have direct exterior grade access, ".

22. By-law No. 8044 is further amended in Section 3.5 by deleting the word "and" from the end of clause (e) and by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

23. By-law No. 8055 is amended in Section 3.3 by deleting the period from the end of clause (h) and substituting a semi-colon and by adding the following clause:

"(i) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

24. By-law No. 8073 is amended in Section 4.3 by deleting the word "and" from the end of clause (e), by deleting the period from the end of clause (f), substituting a semi-colon followed by the word "and" and by adding the following clause:

"(g) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

25. By-law No. 8122 is amended by deleting the Schedule A map and substituting the new map which is attached to this by-law as Schedule B.

26. By-law No. 8193 is amended in Section 3.3 by deleting the period from the end of clause (d) and substituting a semi-colon and by adding the following clause:

"(e) where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000."

27. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 20th day of February ,
2001.

(Signed) Philip W. Owen
Mayor

(Signed) Ulli S. Watkiss
City Clerk

"I hereby certify that the foregoing is a correct copy of a By-law passed by the Council of the City of Vancouver on the 20th day of February 2001, and numbered 8298.

CITY CLERK"



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

NOVEMBER 20, 2003

A Special Meeting of the Council of the City of Vancouver was held on Thursday, November 20, 2003, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law and to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

PRESENT:

- Mayor Larry Campbell
- Councillor David Cadman
- Councillor Peter Ladner
- Councillor Raymond Louie
- Councillor Tim Louis
- Councillor Anne Roberts
- Councillor Tim Stevenson
- *Councillor Sam Sullivan
- Councillor Ellen Woodsworth

ABSENT:

- Councillor Fred Bass (Leave of Absence - Civic Business)
- Councillor Jim Green (Civic Business)

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Louis
 SECONDED by Councillor Cadman

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development By-law, Official Development Plans, Sign By-law, to designate property as protected heritage property and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

1. Text Amendment: Zoning and Development By-law, CD-1s, and Official Development Plans

An application by the Director of Current Planning was considered as follows:

Summary: Housekeeping amendments to the Zoning and Development By-law, including CD-1s and Official Development Plans.

The Director of Current Planning recommended approval.

Staff Comments

Dave Thomsett, Senior Planner, Rezoning Centre, was present to respond to questions.

Summary of Correspondence

No correspondence was received since the date the application was referred to Public Hearing.

Speakers

The Mayor called for speakers for and against the application and none were present.

Council Decision

MOVED by Councillor Louis

THAT the application by the Director of Current Planning to amend the Zoning & Development By-law, CD-1 By-laws and Official Development Plans generally as set out in Appendices A & B of the Policy Report "Miscellaneous Text Amendments: Zoning and Development By-law, CD-1 By-laws, and Official Development Plans, Zoning and Development Fee By-law and Policies and Guidelines" dated September 23, 2003, be approved.

CARRIED UNANIMOUSLY
(Councillor Sullivan absent for the vote)

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 11 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY

1. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text amendments) (By-law No. 8758)
2. A By-law to amend By-law Nos. 6180, 6320, and 8587 which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (By-law No. 8759)
3. A By-law to amend miscellaneous CD-1 By-laws (re miscellaneous text and residential storage amendments) (By-law 8760)

(Councillors Bass, Green and Sullivan excused from voting)

4. A By-law to amend Zoning and Development By-law No. 3575 (re miscellaneous text and residential storage amendments) (By-law 8761)

(Councillors Bass, Green and Sullivan excused from voting)

5. A By-law to amend Downtown District Official Development Plan By-law No. 4912, Downtown-Eastside/Oppenheimer District Official Development Plan By-law No. 5532, and Southeast Granville Slopes Official Development Plan By-law No. 5752 (By-law 8762)

(Councillors Bass, Green and Sullivan excused from voting)

6. A By-law to amend Solid Waste and Recycling By-law No. 8417 to regulate certain 2004 utility fees and miscellaneous amendments (By-law 8763)

7. A By-law to amend Water Works By-law No. 4848 (2004 Fees and miscellaneous amendments) (By-law 8764)

8. A By-law to authorize the borrowing of certain sums of money from January 8, 2004 to January 7, 2005 pending the collection of real property taxes (By-law No. 8765)

9. A By-law to amend By-law No. 8093, being the Sewer and Watercourse By-law (Establishment of 2004 Sewer Use and Connection Rates) (By-law No. 8766)

10. A By-law to amend License By-law No. 4450 re 2004 marina operator fee increases

(By-law No. 8767)

11. A By-law to amend Impounding By-law No. 3519 (2004 Charges re Towing Service Contract) (By-law 8768)

Seniors supportive or assisted housing

BY-LAW NO. 8824

**A By-law to amend By-law No's.
3568, 3914 (13A), 3914 (13B), 4472, 4634, 4674, 6953, 7091, 7114, 7158, 7204,
7461, 7651, 7655, 7723, 7852, 7853, 8088, 8097, 8369, 8457 and 8592
which amended Zoning and Development By-law No. 3575 by
rezoning certain areas to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. In By-law No. 3568, Council:

- (a) from section 2(e), in three instances, strikes out "congregate", and substitutes "seniors supportive or assisted housing";
- (b) from clause 7 of Table A in section 3, strikes out "Congregate", and substitutes "Seniors supportive or assisted housing"; and
- (c) from section 4(c), strikes out "congregate", and substitutes "seniors supportive or assisted".

1. In By-law No. 3914 (13A), Council, in section 2:

- (a) re-letters clauses (b) and (c) as (c) and (d); and
- (b) after clause (a), inserts "(b) Seniors Supportive or Assisted Housing;".

2. In By-law No. 3914 (13B), Council:

- (a) from section 2(b), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing";
- (b) from section 2.A.1, strikes out "Congregate Housing", and substitutes "Seniors supportive or assisted housing"; and
- (c) from section 8.2, strikes out "congregate", and substitutes "seniors supportive or assisted".

3. In By-law No. 4472, Council, from sections 4.1.3, 4.2.9, 4.3.3, and 4.4.5, strikes out "Special Needs Residential Facility - Congregate", and substitutes "Seniors Supportive or Assisted".
4. In By-law No. 4634, Council, in section 2:
 - (a) re-letters clauses (c), (d), and (e) as (d), (e), and (f); and
 - (b) after clause (b), inserts "(c) seniors supportive or assisted housing;"
5. In By-law No. 4674, Council, from section 2(a), strikes out "Congregate Housing Facility", and substitutes "Seniors Supportive or Assisted Housing".
6. In By-law No. 6953, Council, from section 2(a), strikes out "Special Needs Residential Facility - Congregate Housing Facility", and substitutes "Seniors Supportive or Assisted Housing".
7. In By-law No. 7091, Council, in section 2:
 - (a) re-letters clause (d) as (e); and
 - (b) after clause (c), inserts "(d) Seniors Supportive or Assisted Housing;"
8. In By-law No. 7114, Council, in section 2:
 - (a) re-letters clauses (a) and (b) as (b) and (c); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
9. In By-law No. 7158, Council, in section 2:
 - (a) re-letters clause (c) as (d); and
 - (b) after clause (b), inserts "(c) Seniors Supportive or Assisted Housing;"
10. In By-law No. 7204, Council, in Schedule B:
 - (a) in section 3, re-letters clauses (i) and (j) as (j) and (k);
 - (b) in section 3, after clause (h), inserts "(i) Seniors Supportive or Assisted Housing;" ;
 - (c) from Table 1, strikes out ", and Special Needs Residential Facility - Congregate Housing";

- (d) from Table 2, strikes out “, and, in respect only of sub-areas 7, 8 and 10, Special Needs Residential Facility - Congregate Housing”;
- (e) from section 7.6, strikes out “and Special Needs Residential Facility - Congregate Housing”; and
- (f) from section 10(b) strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “seniors supportive or assisted housing”.

11. In By-law No. 7461, Council, in Schedule B:

- (a) from section 3(h), strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing.”; and
- (b) from sections 3A, 6.3(e), 6.5, and 8, and from footnote 5 to Table 1, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “seniors supportive or assisted housing”.

12. In By-law No. 7651, Council, from sections 2(a), 4, and 6, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

13. In By-law No. 7655, Council, from section 2.1, strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

14. In By-law No. 7723, Council, from section 2(b), strikes out “Special Needs Residential Facility - Congregate Housing”, and substitutes “Seniors Supportive or Assisted Housing”.

15. In By-law No. 7852, Council, in section 2.1:

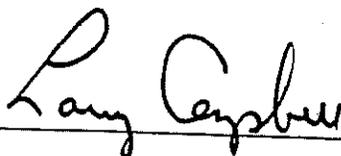
- (a) re-letters clauses (a) and (b) as (b) and (c); and
- (b) before clause (b), inserts “(a) Seniors Supportive or Assisted Housing.”.

16. In By-law No. 7853, Council, in section 2.1:

- (a) re-letters clauses (f) and (g) as (g) and (h); and
- (b) after clause (e), inserts “(f) Seniors Supportive or Assisted Housing.”.

17. In By-law No. 8088, Council, in section 2:
- (a) re-letters clauses (a) and (b) as (b) and (c); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
18. In By-law No. 8097, Council, from sections 2(a) and 3.1, strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".
19. In By-law No. 8369, Council, from section 2(b), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing".
20. In By-law No. 8457, Council, in section 2:
- (a) re-letters clauses (a), (b), and (c) as (b), (c), and (d); and
 - (b) before clause (b), inserts "(a) Seniors Supportive or Assisted Housing;"
21. In By-law No. 8592, Council:
- (a) from section 2(a), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "Seniors Supportive or Assisted Housing"; and
 - (b) from section 5(a), strikes out "Special Needs Residential Facility - Congregate Housing", and substitutes "seniors supportive or assisted housing".
22. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 6th day of April, 2004



Mayor



City Clerk



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CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

FEBRUARY 24, 2004

A Special Meeting of the Council of the City of Vancouver was held on Tuesday, February 24, 2004, at 7:40 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law and Official Development Plans, to designate heritage property, and to enter into a Heritage Revitalization Agreement.

PRESENT:

- Mayor Larry Campbell
- Councillor Fred Bass
- Councillor David Cadman
- Councillor Jim Green
- Councillor Peter Ladner
- Councillor Raymond Louie
- Councillor Tim Louis
- Councillor Anne Roberts
- Councillor Tim Stevenson
- Councillor Sam Sullivan
- Councillor Ellen Woodsworth

CITY CLERK'S OFFICE: Laura Kazakoff, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Roberts
SECONDED by Councillor Louie

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development By-law and Official Development Plans, to designate heritage property, and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

1. Heritage Designation: 450 West 2nd Avenue

An application by Bastion Developments was considered as follows:

Summary: Heritage designation of the Nye Building at 450 West 2nd Avenue.

The Director of Current Planning recommended approval.

Staff Comments

Terry Brunette, Heritage Planner, was present to respond to questions.

5. Text Amendment: Seniors Supportive or Assisted Housing

An application by the Director of Current Planning was considered as follows:

Summary: To define Seniors Supportive or Assisted Living (formerly Congregate Housing for Seniors) as a residential, not institutional use. If approved, consequential amendments will be required to the Parking By-law and other guideline documents.

The Director of Current Planning recommended approval.

Staff Comments

Rob Whitlock, Senior Housing Officer, Housing Centre, in response to a question, noted that the Seniors Advisory Committee had reviewed this application.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application and none were present.

Council Decision

MOVED by Councillor Woodsworth

A. THAT the application by the Director of Current Planning to amend the text of the Zoning and Development By-law and various other by-laws and guidelines to reflect changes related to seniors housing generally as set out in Appendix A of the Policy report dated January 2, 2004 entitled "Zoning and Development By-law: Changes to Facilitate Seniors Housing" be approved.

B. THAT, subject to approval of the zoning by-law amendments, the by-law be accompanied at time of enactment by amendments to the Parking By-law and other guidelines documents.

CARRIED UNANIMOUSLY

BY-LAWS

MOVED by Councillor Green
SECONDED by Councillor Louie

THAT Council, except for those members excused as noted in the agenda, enact the by-laws listed on the agenda for this meeting as numbers 1 to 10 inclusive, and authorize the Mayor and City Clerk to sign and seal the enacted by-laws.

CARRIED UNANIMOUSLY
(Councillor Roberts absent for the vote)

1. A By-law to Alter the Boundaries of the Gastown Business Improvement Area (2004-2009) (By-law No. 8823)
- * 2. A By-law to amend various by-laws which amended Zoning and Development By-law No. 3575 by rezoning certain areas to CD-1 (re congregate housing) (By-law No. 8824)
3. A By-law to amend Zoning and Development By-law No. 3575 (re congregate housing) (By-law No. 8825)
4. A By-law to amend Downtown-Eastside/Oppenheimer Official Development Plan By-law No. 5532 (re congregate housing) (By-law No. 8826)
5. A By-law to amend First Shaughnessy Official Development Plan By-law No. 5546 (re congregate housing) (By-law No. 8827)
6. A By-law to amend Parking By-law No. 6059 (re congregate housing) (By-law No. 8828)
7. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (55 East Cordova Street) (By-law No. 8829)
8. A By-law to authorize Council entering into a Heritage Revitalization Agreement with the Owner of Heritage Property (1826 and 1830-1850 Blanca Street) (By-law No. 8830)
(Councillors Cadman, Green, Louie and Roberts were excused from voting on By-law No. 8)
9. A By-law to designate certain real property as protected heritage property (1826 Blanca Street) (By-law No. 8831)
(Councillors Cadman, Green, Louie and Roberts were excused from voting on By-law No. 9)
10. A By-law to amend Noise Control By-law No. 6555 (re 1201 West Hastings Street) (By-law No. 8832)

6450 Clarendon Street

BY-LAW NO. 8911

**A By-law to amend By-law No. 3914 which amended
Zoning and Development By-law No. 3575
by rezoning an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

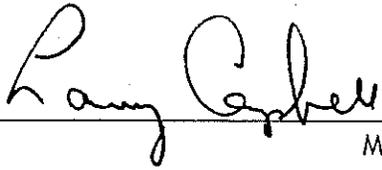
1. This By-law amends the indicated provisions of By-law No. 3914.
2. In section 2, Council:
 - (a) repeals subsection (a);
 - (b) from subsection (b), strikes out "but only in section B on the diagram below"; and
 - (c) re-letters subsections (b) and (c) as (a) and (b).
3. Council repeals section 2A.1.
4. From section 3.1, Council strikes out "1.25", and substitutes "1.43".
5. From section 4.1, Council strikes out:
 - (a) "12.8", and substitutes "13.2"; and
 - (b) "10.5", and substitutes "12.2".
6. Council repeals section 6.4, and substitutes:

"6.4 The minimum setback from Clarendon may be relaxed to 0.3 m for the provision of a porte cochere, fences, loading spaces, access and manoeuvring aisles, and a garbage/recycling shed."
7. After section 8.4, Council adds:

"8.5 The relaxation and exemption provisions of the Parking By-law are available."

8. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 22nd day of July, 2004



Mayor



City Clerk

BY-LAWS

1. Noise Control By-law No. 6555 - Prohibition of leaf blowers from the West End - *POSTPONED*
2. Water Shortage Response By-law (By-law No. 8912)
3. A By-law to amend By-law No. 3914 which amended Zoning and Development By-law No. 3575 by rezoning an area to CD-1 (6450 Clarendon Street) (By-law No. 8911)



CITY OF VANCOUVER
SPECIAL COUNCIL MEETING MINUTES

JANUARY 29, 2004

A Special Meeting of the Council of the City of Vancouver was held on Thursday, January 29, 2004, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law, to designate heritage property and enter into Heritage Revitalization Agreements.

- PRESENT:** Deputy Mayor Tim Louis
*Councillor Fred Bass
Councillor David Cadman
*Councillor Jim Green
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Anne Roberts
*Councillor Sam Sullivan
Councillor Ellen Woodsworth
- ABSENT:** Mayor Larry Campbell (Leave of Absence)
Councillor Tim Stevenson (Leave of Absence - Civic Business)
- CITY CLERK'S OFFICE:** Lori Isfeld, Meeting Coordinator

*Denotes absence for a portion of the meeting.

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT this Council resolve itself into Committee of the Whole, Deputy Mayor Louis in the Chair, to consider proposed amendments to the Zoning and Development By-law, to designate heritage property and enter into Heritage Revitalization Agreements.

CARRIED UNANIMOUSLY

1. Text Amendment: C-2 District Schedule

An application by the Director of Current Planning was considered as follows:

Summary: The proposed text amendment would correct an error in the recently enacted C-2 District Schedule.

The Director of Current Planning recommended approval

(iii) ~~if the owner of the property does not fulfill all requirements necessary to obtain an Occupancy Permit within sixty (60) months after the enactment date of the Tax Exemption By-law, it will have no further force or effect.~~

F. ~~THAT the Director of Legal Services bring forth the by-law to authorize the Heritage Revitalization Agreement (HRA).~~

~~CARRIED UNANIMOUSLY
AND BY THE REQUIRED MAJORITY~~

6. Text Amendment: 6450 Clarendon Street

An application by Lloyd Plishka, Architect, was considered as follows:

Summary: The proposed amendments would permit seniors congregate housing on the entire site.

Also before Council was a Memorandum dated February 18, 2003, from Lynda Challis, Rezoning Planner, Rezoning Centre, which recommended amending Condition (b) (i) Building Massing to read as follows:

“design development to reduce the massing of the seniors non-market building;

Note to Applicant: This can be achieved by bringing the roof down to two storeys at the corners of the building with the third floor incorporated into a pitched roof form facing Elliott and Clarendon Streets. Facing the lane, the fourth floor should be incorporated into a pitched roof form with dormers.”

In addition, the Memorandum provided further information regarding Condition (b) (iv) Vehicle Crossings on Clarendon.

The Director of Current Planning recommended approval, subject to conditions as set out in the agenda for the Public Hearing.

Staff Opening Comments

Lynda Challis, Rezoning Planner, Rezoning Centre, reviewed the application, and provided clarification of the issues raised in the Memorandum. Ms. Challis and Larry Beasley, Director of Current Planning, responded to questions and clarified how two driveways would impact pedestrian safety.

Rob Whitlock, Senior Housing Officer, Housing Centre, put forward for Council's consideration an amendment to Condition (c) (iv) Housing Agreement by adding the following:

“The provisions of the Housing Agreement as outlined above may need adjustment to accommodate the mortgage financing requirements of Canada Mortgage and Housing Corporation or the future needs of the housing society related to the Shannon Oaks

West component of the project. Any such changes will be reported by the Director of the Housing Centre as part of Council's subsequent approval of the Housing Agreement, which will occur before enactment of the zoning changes."

Applicant Comments

Lloyd Plishka, Architect, reviewed the history of the development and provided rationale for extending seniors congregate housing on the site. Mr. Plishka explained the need for two driveways along Clarendon, which would serve the porte cochere and underground parking.

Howard Johnson and Trevor Ward, Traffic Engineer Consultant, further explained the proposed driveway design and responded to questions regarding safety issues for residents and visitors that would arise if there is only one driveway.

Summary of Correspondence

Council received no correspondence on this application since referral to Public Hearing.

Speakers

Deputy Mayor Louis called for speakers for and against the application.

Gillian Fullerton, Advisory Committee on Seniors Issues, spoke in support of the application and urged Council to approve the porte cochere with two driveways configuration, noting it is a necessity for this seniors housing. Ms. Fullerton noted seniors have mobility issues, difficulty getting in and out of cars, and cars backing up would put seniors at risk.

Council Decision

MOVED by Councillor Green

THAT the application by Lloyd Plishka, Architect to amend CD-1 By-law No. 3914 for 6450 Clarendon Street to permit seniors congregate housing on the entire site generally outlined in Appendix A of the Policy report dated November 20, 2003 entitled "CD-1 Text Amendment - 6450 Clarendon Street" be approved subject to the following conditions:

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Lloyd Plishka Architect, and stamped "Received City Planning Department", August 21, 2003, provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall have particular regard to the following:
 - (i) design development to reduce the massing of the seniors non-market building;

Note to Applicant: This can be achieved by bringing the roof down to two storeys at the corners of the building with the third floor incorporated into a pitched roof form facing Elliott and Clarendon Streets. Facing the lane, the fourth floor should be incorporated into a pitched roof form with dormers.

- (ii) design development to reduce the scale of the seniors market building by bringing the roof down to two storeys on the ends of the building to better relate to the existing building and the neighbourhood context;
- (iii) design development to significantly improve the architectural resolution of the seniors non-market building through materials and detailing similar to the market building and the existing building;
- (iv) design development to the seniors non-market building to provide better access to shared semi-private open space from the amenity rooms;
- (v) design development to improve the sense of entry to the seniors non-market building on Clarendon Street through an enlarged entrance area and canopy;
- (vi) design development to improve the lanescape of the seniors non-market building;

Note to Applicant: This can be achieved through the relocation of the garbage and loading and the addition of specialty paving on setback areas and landscaping;

- (vii) design development to take into consideration the principles of CPTED (crime prevention through environmental design) having particular regard for:
 - security in underground parking,
 - breaking into ground level residential units, and
 - vandalism, such as graffiti;
- (viii) design development to provide a seamless transition between existing and proposed planting along Elliot and Clarendon streets, for both public and private realms. More substantial planting is required along facades of proposed buildings;
- (ix) design development to screen any proposed fences visible from the street or lane with substantial planting on the "public" facades, and to recess these fences from property lines;
- (x) design development to delineate main entrances through the use of different hard surface treatments and substantial planting (similar to existing entrance along Waverley Ave). Vehicular and pedestrian

realms, at these entrances, shall be clearly separated through the use of different paving materials. Porte cochere shall be screened from street though the use of layered planting (including trees);

- (xi) design and planting of interior courtyards to meet existing conditions of amenity area adjacent to existing buildings. Transition between existing and proposed planting shall be seamless;
 - (xii) design development to cover proposed ramp leading to underground parking with a trellis structure complete with climbing vines; and
 - (xiii) design development to ensure that Fire Department access to buildings comply with the Vancouver Building By-law and to the satisfaction of Vancouver Fire and Rescue Services.
- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall:
- (i) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for the following:
 - (1) replacing the existing sewers right of way and construction of a pedestrian connection and associated services over a portion of the replacement right of way;
 - (2) upgrading of the City water mains to serve the site. A new 200 mm water main is required on Clarendon Street between Waverley Avenue and 48th Avenue;
 - (ii) make arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services for clarification of all charges registered in the Land Title Office against title to the lands (a charge summary, including copies of all charges, must be provided) and modification, extension or release of any charges deemed necessary by the Director of Legal Services;
 - (iii) make suitable arrangements to the satisfaction of the General Manager of Engineering Services, for all new BC Hydro and Telus services for this site to be undergrounded from the closest existing suitable service point;
 - (iv) make arrangements to the satisfaction of the Director of the Housing Centre and the Director of Legal Services by way of a Housing Agreement providing that:
 - (1) the owner shall not strata-title any units,
 - (2) the project be operated by a non-profit reporting society registered in the Province of British Columbia, and, if sold, only

to another non-profit reporting society also registered in British Columbia, and

- (3) development on sub-area A comply with the exemption provisions for social housing in the relevant DCL By-law and the Interim City-wide CAC Policy.

The provisions of the Housing Agreement as outlined above may need adjustment to accommodate the mortgage financing requirements of Canada Mortgage and Housing Corporation or the future needs of the housing society related to the Shannon Oaks West component of the project. Any such changes will be reported by the Director of the Housing Centre as part of Council's subsequent approval of the Housing Agreement, which will occur before enactment of the zoning changes.

Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owner, but also as Covenants pursuant to Section 219 of the Land Title Act.

Such agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances effecting the subject site, as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law; provided, however, the Director of Legal Services may, in her sole discretion and on terms she considers advisable, accept tendering of the preceding agreements for registration in the appropriate Land Title Office, to the satisfaction of the Director of Legal Services, prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services.

The timing of all required payments shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

CARRIED UNANIMOUSLY

7. Text Amendment: 325 West 59th Avenue

An application by Dale Staples, Integra Architects, was considered as follows:

Summary: The proposed amendments permit a 43 unit market townhouse with underground parking development.

The Director of Current Planning recommended approval, subject to conditions as set out in the agenda for the Public Hearing.

GM

6450 Clarendon Street

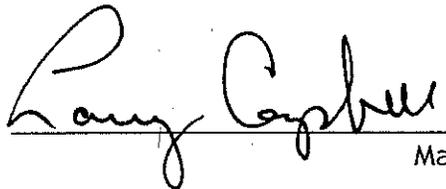
BY-LAW NO.8938

**A By-law to amend By-law No. 3914 which amended
Zoning and Development By-law No. 3575
by rezoning an area to CD-1**

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. From section 3.1 of By-law No. 3914, Council strikes out "1.43", and substitutes "1.53".
2. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this 21st day of October, 2004



Mayor



City Clerk

BY-LAWS

MOVED by Councillor Cadman
SECONDED by Councillor Louie

THAT Council enact the by-law listed on the agenda for this meeting as number 1, and authorize the Mayor and City Clerk to sign and seal the enacted by-law.

CARRIED UNANIMOUSLY

1. A By-law to amend the CD-1 zoning for 6450 Clarendon Street to increase the permitted floor space ratio (By-law No. 8938)



CITY OF VANCOUVER

SPECIAL COUNCIL MEETING MINUTES

OCTOBER 21, 2004

A Special Meeting of the Council of the City of Vancouver was held on Thursday, October 21, 2004, at 7:30 p.m., in the Council Chamber, Third Floor, City Hall, for the purpose of holding a Public Hearing to consider proposed amendments to the Zoning and Development By-law and Heritage By-laws, and to enter into a Heritage Revitalization Agreement.

PRESENT: Mayor Larry Campbell
Councillor David Cadman
Councillor Jim Green
Councillor Peter Ladner
Councillor Raymond Louie
Councillor Anne Roberts
Councillor Ellen Woodsworth

ABSENT: Councillor Fred Bass (Sick Leave)
Councillor Tim Louis (Leave of Absence)
Councillor Tim Stevenson (Sick Leave)
Councillor Sam Sullivan (Leave of Absence)

CITY CLERK'S OFFICE: Tina Hildebrandt, Meeting Coordinator

COMMITTEE OF THE WHOLE

MOVED by Councillor Cadman
SECONDED by Councillor Green

THAT this Council resolve itself into Committee of the Whole, Mayor Campbell in the Chair, to consider proposed amendments to the Zoning and Development By-law and Heritage By-laws, and to enter into a Heritage Revitalization Agreement.

CARRIED UNANIMOUSLY

2. Text Amendment: 6450 Clarendon Street

An application by Lloyd Plishka, Architect, was considered as follows:

Summary: The proposed amendment would increase the permitted floor space ratio.

The Director of Current Planning recommended approval.

Staff Comments

Lynda Challis, Planner, Rezoning Centre, was present to respond to questions.

Applicant Comments

Lloyd Plishka, Architect, was present to respond to questions.

Summary of Correspondence

Council received no correspondence on this item since referral to Public Hearing.

Speakers

The Mayor called for speakers for and against the application and none were present.

Council Discussion

MOVED by Councillor Cadman

THAT the application by Lloyd Plishka, Architect, to amend CD-1 By-law No. 3914 for 6450 Clarendon Street to increase the permitted floor space ratio generally as set out in Appendix A to the Policy Report "CD-1 Text Amendment - 6450 Clarendon Street " dated August 26, 2004, be approved.

CARRIED UNANIMOUSLY